

STERNS & WEINROTH
A Professional Corporation
50 West State Street, Suite 1400
Trenton, New Jersey 08607-1298
JASON S. FEINSTEIN (JF-8008)
(609) 392-2100
(609) 392-7956
Attorneys for Defendants Bryan Mazzola (improperly pled as Bryan Mazolla) and Susan Fitzgerald

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

12-13-07 mQ
#25
635722

MICHAEL S. JOHNSON, DONNA
DYMKOWSKI, PATRICIA LONG-
CORREA, ANTONIO SAMUEL,
VINCENT HALL, ANGELETTE
WATERS, Individually, and on behalf of
the Class,

Plaintiffs,

v.

NEXTEL COMMUNICATIONS, INC., a
Delaware Corporation; LEEDS, MORELLI
& BROWN, P.C.; LENARD LEEDS;
STEVEN A. MORELLI; JEFFREY K.
BROWN; JAMES VAGNINI; FREDERIC
DAVID OSTROVE; BRYAN MAZOLLA;
SUSAN FITZGERALD; AND JOHN
AND JANE DOES 1-10, (a fictitious
designation for presently unknown
Defendants),

Defendants.

Civil Action No.:
1:07cv08473 (GBD)

**NOTICE OF MOTION TO ADMIT
COUNSEL PRO HAC VICE
PURSUANT TO LOCAL RULE 1.3 (c)**

12-13-07 mQ
#25
635722

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
12/13/07 AM 9:00
S.D. OF N.Y.

TO:

Angela M. Roper, Esq.
Kenneth S. Thyne, Esq.
Roper & Twardowsky, LLC
77 Jefferson Place
Totowa, NJ 07512

Shari Claire Lewis, Esq.
Janice J. DiGennaro, Esq.
Rivkin Radler LLP
926 Reckson Plaza
Uniondale, New York 11556-0926

Traci L. Van Pelt, Esq.
Michael T. McConnell, Esq.
Robert W. Steinmetz, Esq.
McConnell Siderius Fleischner
Houghtaling & Craigmire, LLC
Denver Corporate Center, Tower I
4700 S. Syracuse St., Suite 200
Denver, CO 80202

Lawrence R. Sandak, Esq.
Joseph C. O'Keefe, Esq.
Proskauer Rose LLP
One Newark Center, 18th Floor
Newark, NJ 07102

John J. Robertelli, Esq.
Rivkin Radler, LLP
Court Plaza South, First Floor - West Wing
21 Main Street
Hackensack, NJ 07601

Thomas Aloysius McKinney, Esq.
Proskauer Rose, LLP
1585 Broadway
New York, NY 10036

PLEASE TAKE NOTICE that on a date and time to be determined by the Court, the undersigned will move before this Court on behalf of defendants Bryan Mazzola and Susan Fitzgerald for an Order pursuant to Local Rule 1.3(c) of the United States District Court for the Southern District of New York admitting Marshall D. Bilder, Esq. pro hac vice in this matter.

PLEASE TAKE FURTHER NOTICE that in support of this motion, the undersigned will rely upon the declarations of Jason S. Feinstein, Esq. and Marshall D. Bilder, Esq. filed herewith.

Respectfully submitted,

By: _____

Jason S. Feinstein, Esq. (JF-8008)
STERNS & WEINROTH
A Professional Corporation
50 West State Street, Suite 1400
Trenton, New Jersey 08607
(609) 392-2100
(609) 392-7956 (fax)

Dated: December 11, 2007

STERNS & WEINROTH
 A Professional Corporation
 50 West State Street, Suite 1400
 Trenton, New Jersey 08607-1298
 JASON S. FEINSTEIN (JF-8008)
 (609) 392-2100
 (609) 392-7956
 Attorneys for Defendants Bryan Mazzola (improperly pled as Bryan Mazolla) and Susan Fitzgerald

UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF NEW YORK

MICHAEL S. JOHNSON, DONNA DYMKOWSKI, PATRICIA LONG- CORREA, ANTONIO SAMUEL, VINCENT HALL, ANGELETTE WATERS, Individually, and on behalf of the Class,	:	Civil Action No.: 1 :07 CV 08473 (GBD)
Plaintiffs,	:	DECLARATION OF JASON S. FEINSTEIN, ESQ. IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE PURSUANT TO LOCAL RULE 1.3 (c)
v.	:	
NEXTEL COMMUNICATIONS, INC., a Delaware Corporation; LEEDS, MORELLI & BROWN, P.C.; LENARD LEEDS; STEVEN A. MORELLI; JEFFREY K. BROWN; JAMES VAGNINI; FREDERIC DAVID OSTROVE; BRYAN MAZOLLA; SUSAN FITZGERALD; AND JOHN AND JANE DOES 1-10, (a fictitious designation for presently unknown Defendants),	:	
Defendants.	:	

I, Jason S. Feinstein, Esq., pursuant to 28 U.S.C., §1746 hereby declare the following:

1. I am a member of the law firm of Sterns & Weinroth, A Professional Corporation, attorneys for Defendants Bryan Mazzola and Susan Fitzgerald

("defendants") in the above captioned matter. Unless otherwise stated, I have personal knowledge of the following facts and, if called and sworn as a witness could and would competently testify thereto.

2. I am duly admitted to practice and in good standing before the United States District Court for the Southern District of New York.

3. This Certification is offered in support of defendants' application for entry of an Order permitting Marshall D. Bilder, Esquire to appear and participate pro hac vice in the above matter on defendants' behalf.

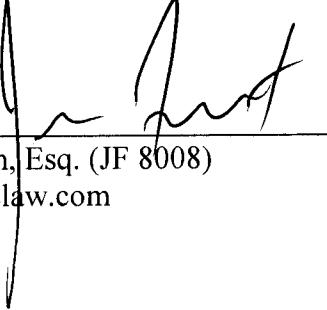
4. Sterns & Weinroth, A Professional Corporation, is counsel of record in this matter on behalf of defendants Bryan Mazzola and Susan Fitzgerald. Pursuant to Local Rule 1.3 (c), Sterns & Weinroth agrees to be responsible for the conduct of the case and of counsel herein.

5. Mr. Mazzola and Ms. Fitzgerald have requested that Marshall D. Bilder, Esq. personally represent them in this matter.

6. Mr. Bilder's qualifications are set forth in his written declaration, offered in support of the instant application.

7. Based upon the foregoing, and the accompanying declaration of Marshall D. Bilder, Esq., I respectfully request that this Court admit Marshall D. Bilder, Esq. pro hac vice for the purposes of appearing, participating and representing defendants, Bryan Mazzola and Susan Fitzgerald in this matter.

I declare under penalties of perjury, that the foregoing is true and accurate.



Jason S. Feinstein, Esq. (JF 8008)
jfeinstein@sterndlaw.com

Dated: December , 2007

STERNS & WEINROTH
 A Professional Corporation
 50 West State Street, Suite 1400
 Trenton, New Jersey 08607-1298
 JASON S. FEINSTEIN (JF-8008)
 (609) 392-2100
 (609) 392-7956
 Attorneys for Defendants Bryan Mazzola (improperly pled as Bryan Mazolla) and Susan Fitzgerald

UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF NEW YORK

MICHAEL S. JOHNSON, DONNA DYMKOWSKI, PATRICIA LONG-CORREA, ANTONIO SAMUEL, VINCENT HALL, ANGELETTE WATERS, Individually, and on behalf of the Class,	:	Civil Action No.: 1 :07 CV 08473 (GBD)
Plaintiffs,	:	DECLARATION OF MARSHALL D. BILDER, ESQ. IN SUPPORT OF MOTION TO FOR ADMISSION PRO HAC VICE PURSUANT TO LOCAL RULE 1.3 (c)
v.	:	
NEXTEL COMMUNICATIONS, INC., a Delaware Corporation; LEEDS, MORELLI & BROWN, P.C.; LENARD LEEDS; STEVEN A. MORELLI; JEFFREY K. BROWN; JAMES VAGNINI; FREDERIC DAVID OSTROVE; BRYAN MAZOLLA; SUSAN FITZGERALD; AND JOHN AND JANE DOES 1-10, (a fictitious designation for presently unknown Defendants),	:	
Defendants.	:	

I, Marshall D. Bilder, Esq., pursuant to 28 U.S.C. hereby certify and state as follows:

1. I am an attorney at law, admitted to practice in the States of New Jersey, Colorado, and the District of Columbia, and I am a member of the law firm of Sterns &

Weinroth, A Professional Corporation, located at 50 West State Street, Suite 1400, Trenton, New Jersey. Before venue in this matter was transferred to this Court, I was primary counsel in this matter for defendants Bryan Mazzola and Susan Fitzgerald.

2. I have been admitted to practice in the States of New Jersey, Colorado and the District of Columbia since 1989. I have also been admitted to practice before the United States District Court for the District of New Jersey since 1989. I have not been denied admission to, nor have I been subject to formal discipline by any Court. I further certify that I am currently in good standing with the Bar of the State of New Jersey and am currently inactive in the State of Colorado and the District of Columbia. Attached hereto as Exhibit "A" is a Certificate of Good Standing from the State of New Jersey. I will be forwarding correspondence from the State of Colorado and the District of Columbia to confirm my status in those jurisdictions.

3. This Declaration is submitted in support of my application for pro hac vice admission before this Court.

4. As stated above, my firm and I currently represent defendants Bryan Mazzola and Susan Fitzgerald and I have therefore developed expertise in litigating the precise issues arising from and related to this case and have a long-standing relationship with defendants. I have also become familiar with the policies, procedures, and legal positions of said defendants.

5. Sterns & Weinroth, A Professional Corporation is currently counsel of record in this matter on behalf of defendants Bryan Mazzola and Susan Fitzgerald. Pursuant to Local Rule 1.3 (c), Sterns & Weinroth agrees to continue to serve as counsel and to comply with the requirements as set forth in the Rules of Court.

6. I respectfully submit that there is good cause for my admission pro hac vice to represent defendants Bryan Mazzola and Susan Fitzgerald in this matter.

I declare under penalties of perjury, that the foregoing is true and accurate.



Marshall D. Bilder
mbilder@sternslaw.com

Dated: December 11, 2007

Supreme Court of New Jersey

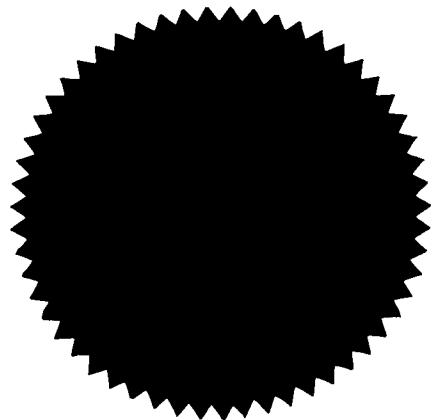


Certificate of Good Standing

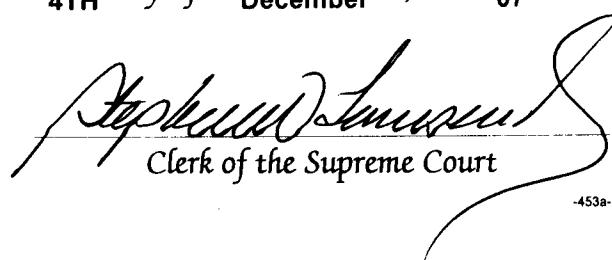
This is to certify that **MARSHALL DAVID BILDER**
(No. **030521989**) was constituted and appointed an Attorney at Law of New Jersey on **December 21, 1989** and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Supreme Court, at Trenton, this 4TH day of December , 20 07


Stephan D. Turner
Clerk of the Supreme Court

STERNS & WEINROTH

A Professional Corporation

50 West State Street, Suite 1400

Trenton, New Jersey 08607-1298

JASON S. FEINSTEIN (JF-8008)

(609) 392-2100

(609) 392-7956

Attorneys for Defendants Bryan Mazzola (improperly pled as Bryan Mazolla) and Susan Fitzgerald

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MICHAEL S. JOHNSON, DONNA
DYMKOWSKI, PATRICIA LONG-
CORREA, ANTONIO SAMUEL,
VINCENT HALL, ANGELETTE
WATERS, Individually, and on behalf of
the Class,

Plaintiffs,

v.

NEXTEL COMMUNICATIONS, INC., a
Delaware Corporation; LEEDS, MORELLI
& BROWN, P.C.; LENARD LEEDS;
STEVEN A. MORELLI; JEFFREY K.
BROWN; JAMES VAGNINI; FREDERIC
DAVID OSTROVE; BRYAN MAZOLLA;
SUSAN FITZGERALD; AND JOHN
AND JANE DOES 1-10, (a fictitious
designation for presently unknown
Defendants),

Defendants.

Civil Action No.:
1:07cv08473 (GBD)

**ORDER GRANTING PRO HAC VICE
ADMISSION OF MARSHALL D.
BILDER, ESQ. PURSUANT TO
LOCAL RULE 1.3 (c)**

THIS MATTER, having been brought before the Court upon the motion of Sterns & Weinroth, attorneys for defendants Bryan Mazzola and Susan Fitzgerald ("defendants"), for entry of an order permitting the pro hac vice admission of Marshall D. Bilder, Esq., and the Court having considered his Declaration and the Declaration of

Jason S. Feinstien, Esq., his sponsoring attorney, a member in good standing of the Bar of the United States District Court for the Southern District of New York, and for good cause having been shown;

IT IS on this _____ day of _____, 2007;

ORDERED that Marshall D. Bilder, Esq. is hereby admitted to practice pro hac vice as counsel for defendants Bryan Mazzola and Susan Fitzgerald in the above matter in the United States District Court for the Southern District of New York; and it is further

ORDERED that Marshall D. Bilder, Esq. will abide by all Local Rules of this Court, including the rules governing the discipline of attorneys; and it is further

ORDERED that if this action is assigned to the Electronic Case Filing (ECF) system, Marshall D. Bilder, Esq. shall immediately apply for a password at nysd.uscourts.gov and that Marshall D. Bilder, Esq. shall forward to this Court any and all pro hac vice admission fees; and it is further

ORDERED that a true copy of this Order shall be served upon all counsel of record with seven (7) days receipt hereof.

United States District/Magistrate Judge

STERNS & WEINROTH
 A Professional Corporation
 50 West State Street, Suite 1400
 Trenton, New Jersey 08607-1298
 JASON S. FEINSTEIN (JF-8008)
 (609) 392-2100
 (609) 392-7956

Attorneys for Defendants Bryan Mazzola (improperly pled as Bryan Mazolla) and Susan Fitzgerald

UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF NEW YORK

MICHAEL S. JOHNSON, DONNA DYMKOWSKI, PATRICIA LONG-CORREA, ANTONIO SAMUEL, VINCENT HALL, ANGELETTE WATERS, Individually, and on behalf of the Class,	:	Civil Action No.: 1 :07cv08473 (GBD)
Plaintiffs,	:	CERTIFICATION OF SERVICE
v.	:	
NEXTEL COMMUNICATIONS, INC., a Delaware Corporation; LEEDS, MORELLI & BROWN, P.C.; LENARD LEEDS; STEVEN A. MORELLI; JEFFREY K. BROWN; JAMES VAGNINI; FREDERIC DAVID OSTROVE; BRYAN MAZOLLA; SUSAN FITZGERALD; AND JOHN AND JANE DOES 1-10, (a fictitious designation for presently unknown Defendants),	:	
Defendants.	:	

I, Jason S. Feinstein, Esq., hereby declare:

1. I am an attorney-at-law duly admitted to practice and in good standing before the United States District Court for the Southern District of New York and a member of the law firm of Sterns & Weinroth, A Professional Corporation.

2. I do certify that on December 10, 2007, I caused to be served true and correct copies of Defendants' Bryan Mazolla and Susan Fitzgerald's Notice of Motion to Admit Counsel Pro Hac Vice pursuant to Local Rule 1.3(c), Declarations of Jason S. Feinstein, Esq. and Marshall D. Bilder, Esq. in support thereof and proposed form of Order via FedEx upon the following:

Clerk
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Angela M. Roper, Esq.
Kenneth S. Thyne, Esq.
Roper & Twardowsky, LLC
77 Jefferson Place
Totowa, NJ 07512

Traci L. Van Pelt, Esq.
Michael T. McConnell, Esq.
Robert W. Steinmetz, Esq.
McConnell Siderius Fleischner
Houghtaling & Craigmire, LLC
Denver Corporate Center, Tower I
4700 S. Syracuse St., Suite 200
Denver, CO 80202

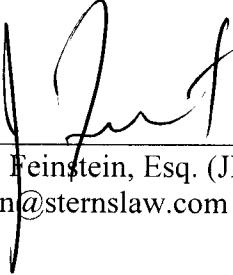
Thomas Aloysius McKinney, Esq.
Proskauer Rose, LLP
1585 Broadway
New York, NY 10036

Lawrence R. Sandak, Esq.
Joseph C. O'Keefe, Esq.
Proskauer Rose LLP
One Newark Center, 18th Floor
Newark, NJ 07102

Shari Claire Lewis, Esq.
Janice J. DiGennaro, Esq.
Rivkin Radler LLP
926 Reckson Plaza
Uniondale, New York 11556-0926

John J. Robertelli, Esq.
Rivkin Radler, LLP
Court Plaza South, First Floor - West Wing
21 Main Street
Hackensack, NJ 07601

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

By: 

Jason S. Feinstein, Esq. (JF-8008)
jfeinstein@sternslaw.com

Dated: December 11, 2007